

## CHAPTER 11

### POISONOUS OR TOXIC MATERIALS

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#### Section I. HAZARDOUS COMMUNICATION, LABELING AND IDENTIFICATION

##### 11-1. Hazardous Communication\*

*a.* Each FOOD ESTABLISHMENT WILL have an effective hazard communication (HAZCOM) program that WILL include as a minimum—

(1) An inventory listing of POISONOUS OR TOXIC MATERIALS used in the FOOD ESTABLISHMENT.

(2) Material Safety Data Sheet (MSDS) or Hazardous Materials Information Sheet (HMIS) for each POISONOUS OR TOXIC MATERIAL. *All MSDSs or HMISs will be made available to each EMPLOYEE on all operating shifts.*

(3) Proper labels as specified in ¶ 11-2.

(4) EMPLOYEE training program.

*b.* AAFES FOOD ESTABLISHMENTS WILL post the AAFES's MSDS "Hotline" telephone number in an EMPLOYEE accessible area.

##### 11-2. Original and Working Containers, Identifying Information\*

*a.* Containers of POISONOUS OR TOXIC MATERIALS and PERSONAL CARE ITEMS WILL bear a legible manufacturer's label.

*b.* Working containers used for storing POISONOUS OR TOXIC MATERIALS, such as cleaners and SANITIZERS taken from bulk supplies, WILL be clearly and individually identified with the common name of the material.

#### Section II. OPERATIONAL SUPPLIES AND APPLICATION

##### 11-3. Poisonous or Toxic Materials Presence\*

Only those POISONOUS OR TOXIC MATERIALS that are required for the operation and maintenance of a FOOD ESTABLISHMENT, such as for the cleaning and SANITIZING of EQUIPMENT and UTENSILS and the control of insects and rodents, WILL be allowed in a FOOD ESTABLISHMENT.<sup>P</sup> *This requirement does not apply to PACKAGED POISONOUS OR TOXIC MATERIALS that are for retail sale.*

##### 11-4. Separation\*

*a.* POISONOUS OR TOXIC MATERIALS WILL be stored so that they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by—

(1) Separating the POISONOUS OR TOXIC MATERIALS by spacing or partitioning.<sup>P</sup>

(2) Locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE OR SINGLE-USE ARTICLES. When not in use, POISONOUS OR TOXIC MATERIALS WILL be stored in a locked and labeled cabinet(s) or storage room. *This paragraph does not apply to EQUIPMENT and UTENSIL cleaners and SANITIZERS that are stored in WAREWASHING areas for availability and convenience if the materials are stored to prevent contamination of FOOD, EQUIP-*

*MENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.*

*b.* Chemicals that bear EPA's registration or HAZCOM label WILL be kept in their original containers when required by law.

##### 11-5. Conditions of Use\*

*a.* POISONOUS OR TOXIC MATERIALS WILL be—

(1) Used according to—

(a) Law and this bulletin.

(b) Manufacturer's use directions included in labeling and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT.

(c) The conditions of certification, if certification is required, for use of the pest control materials.

(d) Additional conditions that may be established by the REGULATORY AUTHORITY.

(2) Applied so that—

(a) A HAZARD to EMPLOYEES OR OTHER PERSONS is not constituted.

(b) Contamination (including toxic residues due to drip, drain, fog, splash, or spray) of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES is prevented. For a RESTRICTED-USE PESTICIDE, this is achieved by—

1. Removing the items,
2. Covering the items with impermeable covers, or
3. Taking other appropriate preventive actions; and
4. Cleaning and SANITIZING EQUIPMENT and UTENSILS after the application.

b. A RESTRICTED-USE PESTICIDE WILL be applied only by an applicator certified as defined in section 136(e), title 7, United States Code (7 USC 136 (e)) or by a PERSON under the direct supervision of a certified applicator.

### **11-6. Poisonous or Toxic Material Containers Prohibitions\***

A container previously used to store POISONOUS or TOXIC MATERIALS may not be used to store, transport, or dispense food.

### **11-7. Chemical Sanitizers, Criteria\***

a. Chemical SANITIZERS and other chemical antimicrobials applied to FOOD-CONTACT SURFACES WILL meet the requirements for sanitizing solutions specified in 21 CFR 178.1010.

b. Phenolic compounds are prohibited for use as a chemical SANITIZER ON FOOD-CONTACT SURFACES.

c. *The USDA'S List of Proprietary Substances and Nonfood Compounds authorized for use under USDA inspection and grading programs may serve as a quick reference and source for APPROVED chemical SANITIZERS and detergents.*

### **11-8. Chemicals for Washing Fruits and Vegetables, Criteria\***

Chemicals used to wash or peel raw, whole fruits and vegetables WILL meet the requirements specified in 21 CFR 173.315.

### **11-9. Boiler Water Additives, Criteria\***

Chemicals used as BOILER WATER ADDITIVES WILL meet the requirements specified in 21 CFR 173.310.

### **11-10. Drying Agents, Criteria\***

a. Drying agents used in conjunction with SANITIZATION WILL contain only components that are listed as one of the following:

- (1) GRAS for use in food as specified in 21 CFR 182 or 21 CFR 184.
- (2) GRAS for the intended use as specified in 21 CFR 186.
- (3) APPROVED for use as a drying agent under a prior sanction specified in 21 CFR 181.

(4) Specifically regulated as an indirect FOOD ADDITIVE for use as a drying agent as specified in 21 CFR 175 through 21 CFR 178.

(5) APPROVED for use as a drying agent under the threshold of regulation process established by 21 CFR 170.39.

b. When SANITIZATION is with chemicals, the approval required under ¶¶ a(3) or a(5) above or the regulation as an indirect FOOD ADDITIVE required under ¶ a(4) above WILL be specifically for use with chemical SANITIZING solutions.

### **11-11. Lubricants, Incidental Food Contact, Criteria\***

Lubricants WILL meet the requirements specified in 21 CFR 178.3570 if they are used on FOOD-CONTACT SURFACES; on bearings and gears located on or within FOOD-CONTACT SURFACES; or on bearings and gears that are located so that lubricants may leak, drip, or be forced into food or onto FOOD-CONTACT SURFACES.

### **11-12. Restricted Use Pesticides, Criteria\***

RESTRICTED USE PESTICIDES specified under ¶ 11-5b WILL meet the requirements specified in 40 CFR 152, Subpart I.

### **11-13. Rodent Bait Stations\***

Rodent bait WILL be contained in a covered, tamper-resistant bait station.

### **11-14. Tracking Powders, Pest Control and Monitoring\***

a. A tracking powder pesticide may not be used in a FOOD ESTABLISHMENT.

b. If used, a nontoxic tracking powder, such as talcum or flour, may not contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.<sup>N</sup>

### **11-15. Personal Care Items, Medicines, and First-aid Supplies, Restriction and Storage\***

a. PERSONAL CARE ITEMS, medicines, and first-aid supplies WILL be stored to prevent—

- (1) Contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE and SINGLE-USE ARTICLES; or
- (2) Unjustified risk to the EMPLOYEE'S or CONSUMER'S health due to accidental consumption.

b. Only those medicines that are necessary for the health of EMPLOYEES WILL be allowed in a FOOD ESTAB-

LISHMENT. Medicines belonging to EMPLOYEES WILL be labeled as specified under ¶ 11-2. *This requirement does not apply to medicines that are stored or displayed for retail sale.*

c. Medicines belonging to EMPLOYEES or children in a day care center that require refrigeration and are stored in a FOOD refrigerator WILL be—

(1) Stored in a package or container and kept inside a covered, leakproof container that is identified as a container for the storage of medicines.

(2) Located so that they are inaccessible to children.

d. First-aid supplies that are in a FOOD ESTABLISHMENT for the EMPLOYEES' use WILL be labeled as specified under ¶ 11-2 and be stored in a kit or a container that is stored separately.<sup>P</sup>

e. *The PERSON-IN-CHARGE WILL conspicuously post signs with emergency telephone numbers and first-aid procedures for choking. Posters demonstrating first aid for choking (Heimlich Maneuver) may be obtained from the local American Red Cross Chapter or the National Restaurant Association.*

## **11-16. Storage and Display Separation\***

POISONOUS OR TOXIC MATERIALS WILL be stored and displayed for retail sale so that they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by—

a. Separating the POISONOUS OR TOXIC MATERIALS by spacing or partitioning; or

b. Locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE OR SINGLE-USE ARTICLES.